

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

RESOLUTION NO. 2010- 89

WHEREAS, the County Commissioners of Charles County, Maryland, by authority of Title 9, Subtitle 5, Environment Article, Annotated Code of Maryland, is directed to adopt and submit to the Maryland Department of the Environment a report of the review of the comprehensive plan for the provision of both adequate water supply systems and sewer systems throughout the County to include all towns, municipal corporations, and sanitary districts within Charles County, the said water and sewer plan to be consistent with land use master planning in Charles County; and

WHEREAS, by Resolution dated December 15, 2006, the County Commissioners of Charles County, Maryland, adopted an updated Comprehensive Water and Sewer Plan for Charles County and said report and Comprehensive Water and Sewer Plan has been approved by the Maryland Department of the Environment; and

WHEREAS, the County Commissioners of Charles County, Maryland, held a public hearing on April 27, 2010 and a subsequent Work Session on May 25, 2010 to consider proposed amendments to the Charles County Comprehensive Water and Sewer Plan; and

WHEREAS, after serious deliberation and study the County Commissioners of Charles County, Maryland, are of the opinion that it is in the best interest of the citizens of Charles County that the Comprehensive Water and Sewer Plan be amended.

NOW THEREFORE, BE IT RESOLVED, this 25th day of May, 2010,
by the County Commissioners of Charles County, Maryland that the County Commissioners

grant a S3 conditional map category for amendment request number 2010-1A (Lehman Property), known as Tax Map 5, part of Parcel 157 as shown on Water and Sewer Plan Map 1 with the condition that:

The Applicant must size the onsite and offsite water and sewer infrastructure improvements to accommodate the properties within the service area and provide the requisite sewer studies to demonstrate that the proposed flows from the project combined with the committed sewer allocations for other projects can be accommodated by the existing capacity of the Bryans Road Interceptor. Any necessary improvements to the Bryans Road Interceptor identified by the study will need to be made prior to the connection of the project.

BE IT FURTHER RESOLVED, that the County Commissioners adopt a text amendment regarding upgrades to existing sewage treatment plants to provide enhanced nutrient removal facilities to be added to Chapter 1 and Chapter 4 of the Comprehensive Water and Sewer Plan.

The adopted text amendment is as follows:

Text Amendment: Policy Regarding Upgrades to existing Sewage Treatment Plants to provide Enhanced Nutrient Removal Facilities.

On page 1-5 add a new objective (8) and on page 1-6 add a new general policy k) under 1.2.2 GROWTH MANAGEMENT OBJECTIVES.

CHAPTER 1 PLANNING FRAMEWORK

1.2 OBJECTIVES AND GENERAL POLICIES

1.2.2 GROWTH MANAGEMENT OBJECTIVES

- (8) To replace or to upgrade existing undersized sewer treatment systems with Enhanced Nutrient Removal facilities and other associated infrastructure improvements.**

The following GENERAL POLICIES will be used to accomplish the stated objectives and to implement the Water and Sewer Plan.

- k) The County Commissioners, when considering classification amendments for water supply and sewer systems, shall consider land use modifications related to the replacement or upgrade of existing undersized sewer treatment systems, or to upgrade sewer systems with**

Enhanced Nutrient Removal facilities and other associated infrastructure improvements.

On page 1-15 add the following language in bold to Section 1.3.6.

1.3.6 CLARIFICATION OF THE POLICY REGARDING CLIFTON ON THE POTOMAC

POLICY ADOPTED BY THE CHARLES COUNTY COMMISSIONERS ON OCTOBER 16, 2000; AMENDED OCTOBER 21, 2003; AMENDED MAY 25, 2010.

The Charles County Commissioners have determined it to be in the best interest of the County to allow lots of record in Clifton as of October 16, 2000, to perform percolation tests. If the property is approved for on-site sewage disposal, an on-site sewage disposal system (OSDS) can be installed on the lot, thereby allowing the development of the lot. The Commissioners are requiring lots with approved OSDS to complete an Interim Sewer agreement. An interim sewer agreement states that the OSDS will be used on an interim basis and when capacity becomes available in the sewage treatment plant, the lots will be required to connect to the sewer system and abandon the OSDS.

Any newly developed lots will be required to connect to the public water system and will need to obtain allocations. Lot owners will be responsible for connecting to the public water system and providing any necessary road improvements. If the lots front a road that is not owned by the county, there will need to be a signed agreement stating that the road is unimproved and not in the County's Transportation Plan for improvements. All other county, state, and federal regulations still apply to the building permit process.

The County considers the replacement of the current treatment plant with an Enhanced Nutrient Removal plant and other necessary facility upgrades a priority. Plans for replacement of the current treatment plant may include such new users as necessary in order to support the financial integrity of the Enhanced Nutrient Removal facility consistent with requirements of a "financial management plan."

On page 4-22 make the amendments to Section 4.3.2 Public/Municipal as follows.

CHAPTER 4 THE SEWERAGE PLAN

4.3 INVENTORY OF EXISTING SEWERAGE SYSTEMS

4.3.2 Public/Municipal

Clifton-on-the-Potomac This subdivision is served by a treatment plant and four (4) pumping stations. Clifton-on-the-Potomac is a 512-lot subdivision with a 110-acre commercial and light industrial component. The 1990 Comprehensive Plan [had] designated a "[Village] Town Center" in the Clifton/Newburg vicinity. [but this has recently been] **This was** changed to Rural Residential in the 1997 Update. The plant design capacity is 70,000 gpd, with a current average daily flow of 82,000 gpd. The effluent from the plant is pumped into the Potomac River. At full build-out the expected wastewater flows for this subdivision would be as follows: 1) residential Units @ 300 gpd/unit = [0.153 mgd] **153,000 GPD**; and 2) commercial and light industrial @ 1,080 [mgd] **GPD/Acre = 11,900 GPD** [0.0119 mgd].

The collection system does experience excessive inflow/infiltration (I/I) during wet weather. The County has analyzed the sewer system and located problem areas, which will be repaired to reduce the I/I in the system. The treatment plant uses the activated sludge process operated in the contact stabilization mode. There is a 0.8 acre pond used for flow equalization. Sludge is processed on-site in an aerobic digester and transported for ultimate disposal.

Consistent with the objective to replace or upgrade existing undersized sewer treatment systems with Enhanced Nutrient Removal facilities, investigations are underway to replace this treatment plant with an Enhanced Nutrient Removal facility.

Clifton is currently under a building moratorium because the treatment plant is at capacity. [See recent Clifton policy on septic systems, Pg 1-15]. The August 1, 1989 agreement with a private developer to increase the treatment capacity of the plant has not resulted in an increase in treatment capacity as was expected by the County.

BE IT FURTHER RESOLVED, that said plan, with amendments, replaces and supersedes all previous plans, and it is FURTHER RESOLVED that said amendments shall be submitted to the Maryland Department of the Environment for review.

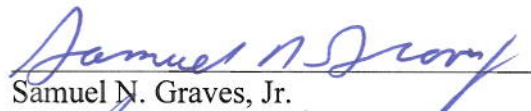
IT IS FURTHER RESOLVED, that if any clause or section contained within this Resolution is for any reason held invalid by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the remaining clauses or sections enumerated within this Resolution.

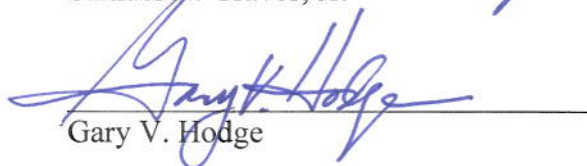
FINALLY, IT IS RESOLVED, that this Resolution shall take effect on the 25th day
of May, 2010.

COUNTY COMMISSIONERS OF
CHARLES COUNTY, MARYLAND


Edith J. Patterson, Vice President


Reuben B. Collins, II


Samuel N. Graves, Jr.


Gary V. Hodge


ATTEST: Denise Ferguson, Clerk